

# **Medical Board of California - Division of Licensing**

## **Precedent Decisions**

### **Specific Language of Proposed Regulations**

Adopt Section 1304.5, Title 16, California Code of Regulations, to read as follows:

#### **1304.5 Precedent Decisions**

(a) The division may designate, as a precedent decision, any decision or part of any decision that contains a significant legal or policy determination of a general application that is likely to recur. The division may also designate as a precedent decision any precedent decision issued by another California state government agency.

(b) Once the division designates a decision or part of a decision as precedent, the division may rely on it or that part of it as precedent and the parties may cite to such decision in their argument to the division and courts.

(c) The division may reverse in whole or in part the prior designation of a decision as a precedent decision.

(d) Notice of intent to designate or withdraw designation of a precedent decision shall be given with the notice of a division meeting. Interested persons may submit written comments for or against the proposed action. The division may decide the issue at that meeting or put the matter over to a subsequent meeting.

NOTE: Authority cited: Section 2018, Business and Professions Code. Section 11425.60, Government Code. Reference: Section 11425.60, Government Code.